



Medtronic

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Group 3700

Facsimile Cover Sheet

P-8788.00

To: Larry Schwartz

Company: U.S. Patent and Trademark Office

Phone:

Fax: 703 872 9301

From: Laurie Grube

Company:  **Medtronic**

Phone: 763 514 3118

Fax: 763 514 6982

Date: December 1, 2003

**Pages including this
cover page:** 5

Comments: RE: P-8788.00
Serial No. 09/740,080
Applicants: Lee et al.
Filed: December 18, 2000
Title: LARGE-SCALE PROCESSING LOOP FOR IMPLANTABLE MEDICAL
DEVICES

Attached please find the following documents:

- X Amended Petition for Revival
- X Copy of Notice of Abandonment
- X Transmittal

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT LAURIE GRUBE AT TELEPHONE (763) 514-3118 IMMEDIATELY.

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DEC. 1. 2003 3:54PM

MEDTRONIC LAW DEPT

NO. 8335 P. 2/5

DOCKET NO.: P-8788.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDED PETITION FOR REVIVAL TRANSMITTAL

In re Application of: Michael Thomas Lee, et al.
For: LARGE SCALE PROCESSING LOOP FOR IMPLANTABLE MEDICAL DEVICES
Serial No.: 09/838,814
Filed: December 18, 2000

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this AMENDED PETITION FOR REVIVAL and the paper(s), as described herein, are being faxed to Facsimile No. (703) 872-9301, Attn: Larry Schwartz, United States Patent and Trademark Office, on this 12th day of December, 2003.


Signature

Laurie L. Grube
Printed Name

Examiner Larry Schwartz
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

We are transmitting herewith the attached:

- ☐ Amended Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b)
- ☐ Copy of Notice of Abandonment dated July 29, 2003
- ☒ Applicant does not believe any extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
- ☐ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

1 Dec. 03


Paul H. McDowall
Reg. No. 34,872
MEDTRONIC, INC.
Telephone: (763) 514-3351
No. 27581

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MICHAEL THOMAS LEE, ET AL.) Art Unit: 3762
Serial No.: 09/838,814) Examiner: Roderick Bradford
Filed: December 18, 2000) Docket: P-8788.00
For: LARGE SCALE PROCESSING LOOP FOR IMPLANTABLE MEDICAL
DEVICES

**AMENDED PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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DEC 1 2003


Dear Sir:

Applicants respectfully request that this application be revived due to the **Group 3700** inadvertent failure to reply to the Final Office Action. There was no intention on the part of applicants to abandon this application.

No fee is believed to be due. If this is incorrect please charge Deposit Account 13-2546.

Respectfully submitted,

Date: 1 Dec. 03


Paul H. McDowall, Reg. No.: 34,873
MEDTRONIC, INC.
Telephone: (763) 514-3351
No. 27581

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1330.00 BR

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MEDTRONIC LAW DEPT

NO. 8335 P. 4/5



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/740,080 | 12/18/2000 | Michael Thomas Lee | P-8788 | 4542 |

27581 7590 07/29/2003
MEDTRONIC, INC.
710 MEDTRONIC PARKWAY NE
MS-LC340
MINNEAPOLIS, MN 55432-5604

EXAMINER

BRADFORD, RODERICK D

ART UNIT PAPER NUMBER

3762

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKET

PHM
8/13/03 Notice of Abandonment

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JUL 31 2003

LAW DEPARTMENT
MEDTRONIC, INC.

PTO-90C (Rev. 07-01)

Notice of Abandonment

Application No.

09/740,080

Examiner

Roderick Bradford

Applicant(s)

LEE ET AL.

Art Unit

3762

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☒ A proposed reply was received on March 14, 2003, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
 The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

L. Bradford 4/1/03

GEORGE R. EVANISKO
PRIMARY EXAMINER
4/1/03

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.161, should be promptly filed to minimize any negative effects on patent term.